

**REMARKS**

Claims 1-5, 9-12, 16-23, 27-30 and 34-36 are pending in this application. By this Amendment, claims 1, 9, 19 and 27 are amended. Support for the amendments to these claims may be found, for example, on page 13, lines 8-24 of the application as originally filed. No new matter is added. Reconsideration of the application in view of the above amendments and the following remarks is respectfully requested.

The Office Action rejects claims 1-5 and 19-22 under 35 U.S.C. §102(e) over U.S. Patent No. 6,774,840 to Adamczyk, and rejects claims 9-12, 16-18, 23, 27-30 and 34-36 under 35 U.S.C. §103(a) over Adamczyk. These rejections are respectfully traversed.

The independent claims varyingly recite, among other features, that the movement detection section detects that a person is present in the destination when a detection rate for a mobile unit possessed by the person within a prescribed inspection period is a predetermined value or more in the destination. Adamczyk does not disclose, and would not have suggested, such a feature.

Adamczyk does not disclose any feature that bases any decision on whether a detection rate for a mobile unit within a prescribed inspection period is a predetermined value or more. Rather, Adamczyk discloses that detection is based on whether the specified party is within the boundaries that define the location, or whether the specified party is within the specified distance from the specified location. Adamczyk makes these determinations using longitude and latitude of the current location of the specified party, and the longitude and latitude associated with the specified location. The service then computes the current distance between the specified party and the specified location. Determining whether a person is at a particular longitude and latitude, or within a specified distance from a longitude and latitude, does not further disclose, and would not have suggested, that the detection occurs when a detection rate for a mobile unit possessed by the person within a prescribed

inspection period is a predetermined value or more in the destination, as recited in claim 1, and similarly recited in independent claims 9, 19 and 27. Adamczyk, for example, would detect a person simply passing through a location and not stopping long enough to have a dialogue.

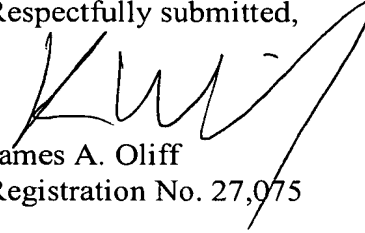
In view of the above, Adamczyk does not disclose, and would not have suggested, the combinations of features recited in independent claims 1, 9, 19 and 27. Thus, Adamczyk does not disclose, and would not have suggested, the combinations of features recited in dependent claims 2-5, 10-12, 16-18, 20-23, 28-30 and 34-36 for at least the respective dependence of these claims on allowable base claims, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the §102 and §103 rejections of claims 1-5, 9-12, 16-23, 27-30 and 34-36 are respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the pending claims 1-5, 9-12, 16-23, 27-30 and 34-36 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Kipman T. Werking  
Registration No. 60,187

JAO:KTW/hlp

Date: July 13, 2009

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 320850**  
**Alexandria, Virginia 22320-4850**  
**Telephone: (703) 836-6400**

DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461
--